

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JANE DOE,	)	
Plaintiff,	)	
	)	No. 1:17-cv-317
-v-	)	
	)	Honorable Paul L. Maloney
CENTREVILLE PUBLIC SCHOOLS,	)	
TERRY MILLER, BARBARA LESTER,	)	
and ROB KUHLMAN,	)	
Defendants.	)	
	)	

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**ORDER DENYING WITHOUT PREJUDICE MOTION TO BIFURCATE TRIAL**

Defendant Terry Miller requests the trial be bifurcated. (ECF No. 25.) Miller asserts that some of the evidence that would be admissible for claims against the other defendants would not be admissible for one of the claims against him and further asserts that the evidence would be prejudicial.

Defendant Miller's motion to bifurcate is **DENIED WITHOUT PREJUDICE**. The lawsuit is still in the early stages. Discovery is still on-going. The parties have several months before dispositive motions are due. The motion is premised on the admissibility and inadmissibility of certain interactions Defendant Miller had with students other than the plaintiff. At this point in the litigation, the Court has not been asked to determine whether any evidence would be inadmissible. The Court is reluctant to make such a determination this early in the proceedings by ruling on a motion to bifurcate. For the motion, Defendant Miller further assumes that all claims and all defendants will proceed to trial. But, that assumption may not be warranted as some of the claims against some of the defendants may

be resolved through summary judgment motions. And, depending on what claims and which defendants remain in the case after summary judgment, the potential prejudice might not be an issue. Accordingly, the Court finds the motion to bifurcate is premature. *See Fairchild Stratos Corp. v. Gen. Elec. Co.*, 31 F.R.D. 301, 301 (S.D.N.Y. 1962) (denying motion to bifurcate as premature because "[w]hether economy and equity would dictate a single or separate trials cannot be determined at this early stage."). Defendant Miller may file a new motion to bifurcate after any motions for summary judgment are resolved.

**IT IS SO ORDERED.**

Date: January 29, 2018

/s/ Paul L. Maloney  
Paul L. Maloney  
United States District Judge